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PTO SB 05 (2-98)

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	38-21(15444)C	
	First Named Inventor or Application Identifier		ABAD
	Title	Nucleic Acid Molecules and Other Molecules Associated with Plants	
	Express Mail Label No.		

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>	ADDRESS TO: Assistant Commissioner for Box Patent Application Washington, DC 20231
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1. <input checked="" type="checkbox"/> *Fee Transmittal Form (Form PTO-1082) <i>(Submit an original and a duplicate for fee processing)</i>	6. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification [Total Pages 122] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed sponsored R&D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claims- Abstract of the Disclosure	7. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ul style="list-style-type: none">a. <input checked="" type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets]	ACCOMPANYING APPLICATION PARTS 8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations 12. <input type="checkbox"/> Preliminary Amendment 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) <i>(should be specifically itemized)</i> 14. <input type="checkbox"/> *Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application. Status still proper and desired 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Other: Petition to Suspend Sequence Rules; Check No. 322236 in the amount of \$130.00
4. Oath or Declaration [Total Pages] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <i>[Note Box 5 below]</i>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)	
5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	
17. If a CONTINUING APPLICATION , check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: / Prior Application Information: Examiner: Group/Art Unit:	

18. CORRESPONDENCE ADDRESS	
<input type="checkbox"/> Customer Number or Bar Code Label	or <input checked="" type="checkbox"/> Correspondence address below
<i>(Insert Customer No. or Attach bar code label here)</i>	

NAME	Lawrence M. Lavin, Jr., Esq.				
	Monsanto Company				
ADDRESS	Patent Department, E2NA				
	800 N. Lindbergh Boulevard				
CITY	St. Louis	STATE	Missouri	ZIP CODE	63167
COUNTRY	US	TELEPHONE	(314) 694-3602	FAX	(314) 694-1671
Name (Print/Type)	Lawrence M. Lavin, Jr.		Registration No. (Attorney/Agent)	30,768	
Signature	<i>Lawrence M. Lavin, Jr.</i>		by David R. Marsh (Reg. No. 41,408)	Date	July 13, 2000

Barrier, Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Applications, Washington, DC 20231.

David R. Marsh

July 13, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

jc857 U.S. PTO
09/615606
07/13/00

Re: U.S. Non-Provisional Utility Patent Application
Application No.: To Be Assigned
Filed: Herewith
For: **Nucleic Acid Molecules and Other Molecules
Associated with Plants**
Inventors: Mark S. ABAD *et al.*
Atty. Docket: 38-21(15444)C

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Utility Patent Application entitled:

Nucleic Acid Molecules and Other Molecules Associated with Plants

and naming as inventors:

**Mark S. ABAD, Robert E. BUEHLER, Joseph R. BYRUM, Brian E.
COOMBS, Gregory R. HECK, Thomas J. LA ROSA, Donald E. NELSON,
Hridayabhiramjam SHUKLA, and Michael D. THOMPSON,**

the application consisting of:

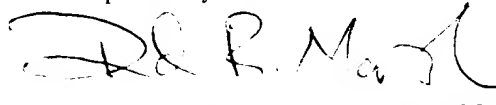
- a. A specification containing:
 - (i) 119 pages of a description prior to the claims;
 - (ii) 2 pages of claims (7 claims); and
 - (iii) a one (1) page abstract;
3. A CD-ROM containing the sequence listing;

4. Petition to Suspend Sequence Rules (in duplicate);
5. An Information Disclosure Statement;
6. Form PTO-1449 (1 page), with 8 accompanying documents;
7. Our Check No. 331069 in the amount of \$130.00 to cover the petition fee; and
8. Two (2) return postcards.

This application is being filed without an executed Declaration, and without payment of official fees.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

Enclosures

09/615606

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark S. ABAD *et al.*

Appln. No.: To Be Assigned

Filed: July 13, 2000

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 38-21(15444)C



Petition to Suspend Sequence Rules

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby petition the Commissioner, pursuant to 37 C.F.R. § 1.183 and M.P.E.P. § 1002.02(c)(2), for a suspension of the requirements of 37 C.F.R. § 1.821 in the above-identified application. In particular, Applicants request suspension of the non-statutory requirement for a paper copy of the Sequence Listing under 37 C.F.R. § 1.821(c), and further request that the computer-readable form of the Sequence Listing filed in this application be considered as the official Sequence Listing.

The Sequence Listing in this application is extremely large, and in paper form would be over 1000 pages in length. The preparation and filing of a paper Sequence Listing of this size would be logistically difficult and costly for Applicant, and the examination thereof by the U.S. Patent and Trademark Office is presumed to be inconvenient. Granting this Petition to suspend the requirement for a paper copy in this application would not create any undue burden on the U.S. Patent and Trademark Office.

Our Check No. 331069 in the amount of \$130.00 in payment of the required fee (37

C.F.R. § 1.17(h)) is enclosed herewith. The U.S. Patent and Trademark Office is hereby

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authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this petition is enclosed.

Respectfully submitted,



Lawrence M. Lavin, Jr. (Reg. No. 30,768)
by David R. Marsh (Reg. No. 41,408)

Date: July 13, 2000

Patent Department, E2NA; Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, MO 63167
Tel: (314) 694-3602
Fax: (314) 694-1671

